

# 115/021

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PATENT 40736

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: D. Panicali, et al.,

Serial No.: 07/579,269 Group No.: 1813  
Filed: September 5, 1990 Examiner: D. Barnd  
For: Recombinant Pox Virus For Immunization Against Tumor-Associated Antigens

RECEIVED

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

JAN 20 1994

GROUP 1800

REQUEST FOR ORAL HEARING (37 CFR 1.194(b))

1. REQUEST FOR ORAL HEARING

Applicant hereby requests an oral hearing of the Appeal in this application.

2. TERM FOR REQUEST

NOTE: Appellant must file a written request for an oral hearing within one month after the date of the examiner's answer. If the examiner's answer states a new ground of rejection and if appellant files a reply as provided for by § 1.193(b), then the written request must be made within three months after the date of the filing of the reply. 37 CFR 1.194(b).

(check and complete the appropriate item below)

☒ The Examiner's answer was mailed on December 8, 1993  
(date)

and the term for filing the request is one month from that mailing date. 37 CFR 1.194(b).

OR

☐ Appellant filed a reply to the Examiner's answer as provided for by § 1.193(b) on \_\_\_\_\_  
(date)

and, since the examiner's answer states a new ground of rejection, the term for filing the request is three months after the filing of this reply. 37 CFR 1.194(b).

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Melissa A. Topp

Date: Dec. 29, 1993

(Type or print name of person mailing paper)  
Melissa A. Topp  
(Signature of person mailing paper)

(Request for Oral Hearing (37 CFR 1.194(b)) [9-7]—page 1 of 3)

### 3. STATUS OF APPLICANT

This application is on behalf of

- ☐ other than a small entity  
☒ small entity

verified statement:

- ☐ attached  
☒ already filed

### 4. FEE FOR REQUEST FOR ORAL HEARING

Pursuant to 37 CFR 1.17(g) the fee for the request for oral hearing is:

- ☒ small entity \$115.00  
☐ other than a small entity \$230.00

Fee due \$ 115.00

### 5. EXTENSION OF TERM

NOTE: The time period set forth in 37 CFR 1.194(b) is subject to the provision of § 1.136, 37 CFR 1.191(d).

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

*(complete (a) or (b) as applicable)*

- (a) ☐ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$360.00	\$180.00
<input type="checkbox"/> three months	\$840.00	\$420.00
<input type="checkbox"/> four months	\$1,320.00	\$660.00
		Fee \$ _____

If an additional extension of time is required please consider this a request therefor.

*(check and complete the next item, if applicable)*

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.  
Extension fee due with this request \$\_\_\_\_\_

or

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

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**6. TOTAL FEE DUE**

The total fee due is:

Request for oral hearing fee \$ 115.00  
Extension fee (if any) \$ 0.00  
TOTAL FEE DUE \$ 115.00

**7. FEE PAYMENT**

- ☒ Attached is a check in the sum of \$ 115.00  
☐ Charge Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_  
A duplicate of this transmittal is attached.

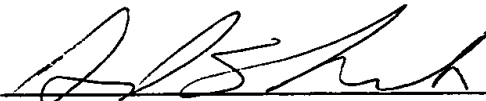
**8. FEE DEFICIENCY**

*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.*

- ☒ If any additional extension and/or fee is required, charge Account No. 04-1105

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SIGNATURE OF ATTORNEY

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